

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TSHEPO MAPHORISA,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	NO. 09 - 2689
JOHN P. DELANEY, WARDEN,	:	
CURRAN-FROMHOLD	:	
CORRECTIONAL FACILITY,	:	
PHILADELPHIA, PENNSYLVANIA,	:	
Defendant.		

ORDER

AND NOW, this 1st day of November, 2010, upon consideration of the Complaint (Document No. 3, filed June 23, 2009), Answer With Affirmative Defenses of Defendant, the Warden – CFCF Philadelphia Prison System (Document No. 11, filed April 23, 2010), Plaintiff’s Traverse Motion to the Defendant’s Response (Document No. 13, filed May 17, 2010), Report Issued by Defense Counsel as Ordered by the Court Covering the Issues Raised by Pro Se Plaintiff With Respect to His Detention Beyond His Release Date and Defendant’s Response to Plaintiff’s Traverse Motion (Document No. 20, filed June 25, 2010), and Plaintiff’s Summary Response to Defendant’s Findings (Document No. 30, filed October 8, 2010), for the reasons set forth in the Memorandum dated November 1, 2010, it is **ORDERED** that the Complaint is **DISMISSED** as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i).

IT IS FURTHER ORDERED that the Court’s Order of May 26, 2010 (Document No. 15) granting plaintiff Tshepo Maphorisa’s oral Motion for Appointment of Counsel is **VACATED**.

IT IS FURTHER ORDERED that the Deputy Clerk shall **SERVE** copies of this Order on defense counsel; plaintiff Tshepo Maphorisa;¹ and Daniel McCormack, Pro Se Writ Clerk.

IT IS FURTHER ORDERED that the Clerk shall **MARK** the case **CLOSED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois

JAN E. DUBOIS, J.

¹ Maphorisa's address is as follows:

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